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(c) what were the special reasons that made the Government appoint a Special Public Prosecutor in the said criminal appeal over the head of the permanent Public Prosecutor and other criminal lawyers some of whom had done criminal work for Government;

(d) whether it was brought to the knowledge of the Government by the recommending authority that the Special Public Prosecutor in the criminal appeal in question was attached for a long time as a junior on the civil side to Mr. Nugent Grant who was the defence counsel in the criminal appeal in question;

(e) whether it is a fact that the criminal appeal has ended in an acquittal; and

(f) on what terms the Special Public Prosecutor was appointed and what were the fees paid to him?

A.—(a) The hon. Member is referred to section 492 of the Code of Criminal Procedure.

(b) He was appointed by Government on the recommendation of the Public Prosecutor, Madras.

(c) The Public Prosecutor, Madras, could not appear in the appeal as he was engaged on an important case in the mufassal.

(d) No.

(e) The conviction of Mr. Walker, the first accused in this case, was confirmed and the sentence was reduced to two years' simple imprisonment and the second accused was acquitted.

(f) He was paid fees at the rate of Rs. 87-8-0 a day subject to a maximum of Rs. 300.

Mr. Abdul Hamid Khan:—"The answer to clause (d) of this question means that the Government did not know that the gentleman concerned was an assistant, a junior to Mr. Nugent Grant. May I know whether the Government will now make an enquiry?"

The hon. Diwan Bahadur M. Krishnan Nayar:—"No, Sir, because it will be a reflection upon the professional conduct of the gentleman concerned."

Alleged prohibition of the public meeting at Tiruvannamalai.

* 1169 Q.—Mr. T. Adinarayana Chettiyar: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that on 8th November 1928 when Mr. P. V. Hanumantha Rao was lecturing in front of the temple at Tiruvannamalai, North Arcot district, he was served with a prohibitory order, under section 144, Criminal Procedure Code, by the Sub-Magistrate;

(b) whether one of the grounds for the passing of the order is the presence in the town of Tiruvannamalai of an anti-Congress party;

(c) whether Government have issued any instructions to allow political speeches only in those localities where there is not a strong section of people holding opposite political views;

(d) (1) if so, what is the percentage of the population holding a particular political view that should determine whether propaganda by people from the opposite political camps is to be permitted in any particular locality;

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(2) what is the method by which Government determine the measure of political feeling of a particular kind in a particular locality;

(e) whether it is a fact that the Sub-Magistrate and the Police officer tried to dictate to Mr. Hanumantha Rao on what particular topics he should address the meeting and whether the Sub-Magistrate asked Mr. Hanumantha Rao particularly not to talk about khaddar at the meeting? and

(f) whether it is a fact that force or show of force was used by the police in dispersing the above public meeting at Tiruvannamalai on 8th November 1928?

A.—(a) Yes.
(b) No.
(c) No.
(d) Does not arise.
(e) No.
(f) No.

Mr. T. ADINARAYANA CHETTIYAR:—"Does the hon. the Law Member deny that the Sub-Magistrate asked Mr. Hanumantha Rao not to talk about khaddar but about other subjects?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I deny it."

Mr. T. ADINARAYANA CHETTIYAR:—"Does the hon. the Law Member deny that the Sub-Magistrate threatened the people saying that he would call in constables to disperse the meeting?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Notice."

Mr. T. ADINARAYANA CHETTIYAR:—"Does the hon. the Law Member deny that the Sub-Magistrate told the audience to disperse saying that they will be charged as an unlawful assembly?"

The hon. the PRESIDENT:—"The question is assuming more the shape of cross-examination."

Mr. T. ADINARAYANA CHETTIYAR:—"Does he deny, Sir? Will he make an enquiry and take a statement from one of the people present?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"If a statement is presented to me I shall consider what steps should be taken upon that."

Mr. A. KALESWARA RAO:—"May I know whether the Sub-Magistrate is an acting man or permanent man?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Notice, Sir."

Alleged complaints of the under-trial accused in the Railway strike conspiracy case.

*1170-A Q.—Dr. B. S. MALLAYYA: Will the hon. the Law Member be pleased to state—

(a) whether the attention of the Government was drawn to the complaint made to the Special Magistrate of Trichinopoly on 25th October 1928 by Mr. Singaravelu Chetti, one of the under-trial accused in the railway strike conspiracy case, regarding the unnecessary suffering caused to them;